

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:18-CR-22
)	
Plaintiff)	JUDGE: SOLOMON OLIVER, JR.
)	
vs.)	
)	
PHILLIP DURACHINSKY,)	<u>DEFENDANT PHILLIP DURACHINSKY'S</u>
)	<u>MOTION TO DECLARE</u>
)	<u>THIS MATTER TO BE A COMPLEX CASE</u>
Defendant)	<u>AND FOR CONTINUANCE OF TRIAL</u>

Defendant Phillip Durachinsky, by and through attorney Thomas E. Conway, respectfully requests that This Honorable Court, pursuant to **18 U.S.C. 3161**, declare this matter to be a complex case, and grant a continuance of this trial (as well as all other pretrial and motion deadline dates) beyond the 70 day statutory time limit, for the following reasons:

1. This case involves a great volume of complicated evidentiary discovery material.

Undersigned counsel has previously been notified as to the extremely large amount of discovery that he will have to review - personally, and through the use of expert witness(s). This case also involves numerous complex legal issues that pertain to the offenses charged in the Indictment, as well as the Sentencing Guidelines. Finally, this case involves complicated computer forensic evidence that will need to be evaluated by expert witness(s). Although undersigned counsel will immediately begin reviewing the significant volume of documentary evidence that was provided to him by the Government, Defendant asserts that

- additional time will be needed in order to review discovery, investigate the factual circumstances surrounding this case, and conduct the necessary legal research.
2. The aforementioned actions are necessary in order to achieve a just resolution of this matter. Defendant asserts that the ends of justice, which will be served by the granting of a continuance, outweigh the best interests of the public and the defendant in a speedy trial.

Respectfully submitted,

/s/ Thomas E. Conway
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CERTIFICATE OF SERVICE

I certify that the forgoing was filed electronically on January 23, 2018. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system, and can be accessed through said system.

/s/ Thomas E. Conway
Thomas E. Conway
Attorney for Defendant